GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services – MA&UD Dept - Vigilance Report - Allegations on construction of apartment in deviation from approved plan in Gudiwada Municipality against Sri M.Harija Naik, the then TPO, Gudivada Municipality (now retired) - Departmental proceedings initiated under Rule-20 of APCS (CC&A) Rules, 1991 - Inquiry conducted – Imposition of penalty of "3% cut in pension for a period of five (5) years" under Rule-9 of A.P. Revised Pension Rules, 1980 – Orders – Issued.

MUNICIPAL ADMINISTRATION & URBAN DEVELOPMENT (Vig.II.) DEPARTMENT

G.O.Rt.No.606 **Dated:07.08.2024.**

Read the following:-

1. From G.A. (V&E) Dept., Vigilance Report No.7 (C.No.1195/V&E/ DEV-II) D1/2000) dated 21.01.2014.
2. G.O.Rt.No. 864, MAUD (Vig.III) Department, dated.05.11.2014.
3. G.O.Rt.No.396, M.A. & U.D. (Vig.I) Department, dt:02.06.2017 read with G.O.Rt.No.20, MAUD (Vig.II) Dept., dated.06.01.2020.
4. Inquiry Report of Sri D.Chandra Sekhar, Municipal Commissioner & Inquiry Officer, Eluru, Lr.Rc.No.1/Commr/Eluru/2020, dt:19.10.2020.
5. Govt.Memo.No.3741/Vig.II/2014, dated.27.08.2021.
6. Written representation of Sri M.Harija Naik, the then TPO, dated:21.12.2021 received through the DTCP, A.P., Lr Roc No. 1371/2014/V.cell, dated: 18.01.2022.
7. Show-cause Notice issued vide Govt.Memo.No.3741/Vig.II/2014, dated.26.08.2022.
8. Served copy in respect of Sri M.Harija Naik, the then TPO (now retd.), received through DTCP, A.P., vide Lr.Roc.No.1371/2014/V.Cell, Dt: 10/08/2023.
9. G.O.Ms.No.124, GA(SER.A) Dept., dated.04.12.2023.

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O R D E R:

Whereas, based on the report of G.A. (V&E) Department in the reference 1st cited, Government initiated disciplinary proceedings against Sri M.Harija Naik, the then TPO, Gudivada Municipality (now Retd.), on the allegations of failure in preventing of deviations in Construction of Apartment Buildings from approved plans in Gudivada Municipality vide reference 2nd read above.

2. In the reference 3rd read above, after following the due procedure, Government appointed an Inquiry Officer to inquire into the charges framed against Sri M.Harija Naik, the then TPO (now Retd.) and others of Gudivada Municipality.

3. The Inquiry Officer conducted Inquiry and submitted his Inquiry Report vide reference 4th read above, and stated that out of (4) Charges framed against Sri M.Harija Naik, the then TPO, Gudivada Municipality (now Retd.)., (3) Charges are held proved and (1) charge is not proved.

4. Government have examined the Inquiry Report in detail and in the reference 5th read above and a copy of Inquiry Report have been communicated to all the charged officers under Rule 21(2) of APCS (CC&A) Rules, 1991, with a direction to submit their written representations if any, on the findings of the Inquiry Officer.

(P.T.O)

5. In the reference 6th read above, the delinquent officer has submitted his written representation, denying the findings of the Inquiry officer and requested to drop further action against him.

6. Government have examined the matter; keeping in view the findings of Inquiry Authority and provisionally decided to impose a penalty of " 3% cut in pension for a period of five (5) years" against Sri M.Harija Naik, the then TPO, Gudivada Municipality (now Retd.); since he failed to prevent deviations and unauthorized construction of additional floor from sanctioned plans and not initiated concerted action for the removal of the deviated portions as per the APM, Act, 1965.

7. In the reference 7th read above, a show cause notice has been issued to Sri M.Harija Naik, the then TPO, Gudivada Municipality (now Retd.); as to why the above said penalty at para -6, cannot be imposed against him under Rule 9 of A.P. Revised Pension Rules, 1980. The charged officer had not submitted his explanation. But the DTCP, A.P. vide reference 8th read above has furnished the served copy of show-cause notice in respect of the delinquent officer.

8. Government have examined the entire matter; keeping in view the gravity of charges, findings of Inquiry Authority and roles and responsibilities of delinquent officer and decided to confirm the provisional decision of the Government to impose the penalty of "3% cut in pension for a period of five (5) years" against Sri M.Harija Naik, the then TPO, Gudivada Municipality (now Retd.), since, he failed to prevent deviations and unauthorized construction of additional floor from sanctioned plans and not initiated concerted action for the removal of the deviated portions as per the APM, Act, 1965.

9. Accordingly, Government hereby impose a penalty of " 3% cut in pension for a period of five (5) years" against Sri M.Harija Naik, the then TPO, Gudivada Municipality (now Retd.), under Rule-9 of A.P. Revised Pension Rules, 1980.

10. The Director of Town and Country Planning, A.P, Mangalagiri, shall take necessary action in the matter accordingly.

11. The receipt of the G.O., shall be acknowledged.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

ANIL KUMAR SINGHAL
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To
Sri M.Harija Naik, the then TPO,
Gudivada Municipality (now Retd.)
- **through** the DTCP., A.P., Mangalagiri
The Director of Town & Country Planning, A.P., Mangalagiri
Copy to:
The Secretary to A.P. Vigilance Commission,
5th Building, A.P. Secretariat.
The Director General, G.A. (V&E) Department, A.P., Vijayawada.
The PS to Minister, MA&UD Dept.
The PS to Special CS., MA&UD Department.
SF / SCs.

//FORWARDED BY ORDER//

SECTION OFFICER.